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JUN-20-2001 14:57 FROM OFFICE OF SHERIFF

TO COMPANY

2.02

December 8, 2000

The Honorable William Jefferson Clinton President of the United States of America The White House 1600 Pennsylvania Avenue Washington, D.C. 20500

iii

Dear Mr. President:

#### MIR CARLOS VIGNALI

This letter will confirm my support for Mr. Carlos Vignali, Sr., as a man of the highest integrity and trustworthiness.

I have known Mr. Vignali for many years and have witnessed his consistent support of law enforcement and especially the policing effort of the Los Angeles County Sheriff's Department. Moreover, there are occasions when he has brought forward to me incidents of criminal acts that, upon investigation, resulted in the prosecution and conviction of the offenders, some of which were members of law enforcement.

I am confident that Mr. Vignali will fulfill any commitment he makes regarding any matter entrusted to him.

Sincerely,

ORIGINAL SIGNED

LEROY D. BACA SHERIFF

EXHIBIT

21

————

Bruce Lindsey - Counsel's Office

Folder: Pardon/Clemency – Carlos Vignali, Jr.

## THE WHITE HOUSE

Hugh Saysthis is Very important to him and the Fust Lady as well as others. gromes

Sheripg Baca IS more than happy to speak with you about him but is uncomputable Writing a letter officing his full support.

ORT OF INVESTIGATION	N A SAME		PAGE 5 OF 1	o
(Continuation)	February	18, 19/6	FILE NUMBER	
ITLE			1-76-0031	
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PORT OF INVESTIGATION (Continuation)	ON December		PAGE 2 OF 2	
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Department of Justice

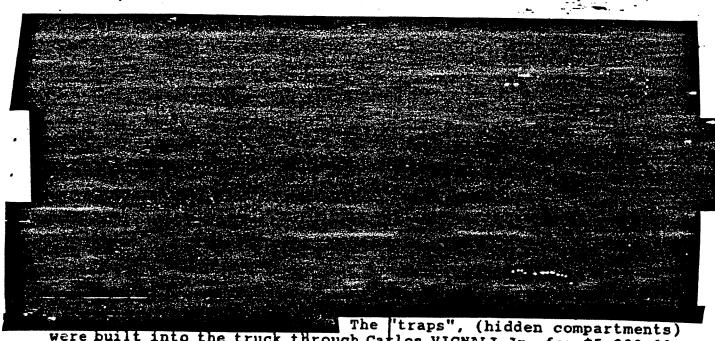
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24

HEADQUA

# REPORT OF INVESTIGATION (Continuation) Page 7 of 11 E. PROGRAM CODE 1. FILE NO. G3-93-Z005 3. FILE TITLE 6. DATE PREPARED March 19, 1993



were built into the truck through Carlos VIGNALI Jr. for \$5,000.00. The vehicle was registered to a friend of The vehicle has since been sold.

has also purchased cocaine from Carlos VIGNALI Jr. of Los Angeles. VIGNALI recently purchase townhouse at 18215 Burbank Blvd., \$13, Tarzana, California. had put \$100,000.00 down on the condominium and paid \$389,000.00 also put over \$100,000.00/\$200,000.00 worth of recvations in the residence. VIGNALI's father Carlos VIGNALI aka "pops" owns a body shop, at 1260 Figueroa and is the source of supply for his son. VIGNALI Sr. lives in old house in Palasades, Ca. has bought and sold vehicles through VIGNALI's body shop. had purchased a "dooley" pick up truck from VIGNALI and also sold his 500E Mercedes recently through VIGNALI. The VIGNALI's are also gamblers and travel to Las Vegas frequently to fights and to \$100,000.00 at a time. An associate of VIGNALI, Lorge TORRES aka "G" owns NUMERO UNO Market on Jefferson St. in

- 6a

#### DEA SENSITIVE

DRUG ENFORCEMENT ADMINISTRATION

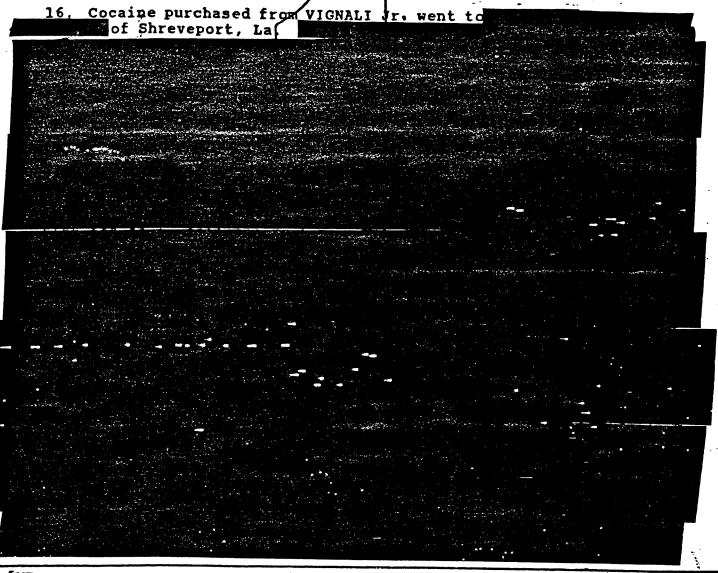
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	REPORT OF INVESTIGATION					1. FILE NO. G3-93-	- <b>2</b> 005	G-DEP IDENTIFIER
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	Page	.8	of	11				
S. PROGR	AM CODE					6. DATE PREPARED	Mar	ch 19, 1993

Los Angeles. Across the street from the Market, TORRES maintains a warehouse full of luxury vehicles and tractor trailers used to transport cocaine. The warehouse also has a penthouse complete with a casino where TORRES and VIGNALI gamble estimated that TORRES has a net worth between 200-300 million dollars.



Form - 61

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•	REPO	RT OF INVESTIGATION	•	GFR1-93-4075	2. G-DEP IDENTIFIER	
		(Continuation)	•	3. FILE TITLE		_
	Page 6	of <sub>11</sub>		VIGNALI, Carlos	et al.	
S. PROGRA	AM CODE	-	-	6. DATE PREPARED		
				April 26, 1993	•	

VIGNALI, Sr., and Carlos VIGNALI, Jr., in Las Vegas, Nevada said that TORRES and the VIGNALI's came with an entourage and stayed at Caesar's Palace in the Presidential Suite said that they maintained that entire floor at Caesar's Palace. TORRES and the VIGNALI's are very close to the Vice President of Caesar's Palace. Stated that TORRES and the VIGNALI's love to gamble and have lost millions in a weekend.

23. George TORRES was described as a Mexican male, 5'10" to 6'0", 200 lbs., early 30's, dark black hair with tattoo's on his neck and all over both arms, also known as "Rig G". Carlos VIGNALI, Sr., was described as a Mexican male, 5'8", 250 to 300 lbs., mid-40's, grayish-black hair, dark complected and clean shaven also known as "POPS". Carlos VIGNALI, Jr., was described as a Mexican male, 5'10" to 5'11", 200 lbs., 21 or 22 years old, black crew cut hair with a mustache, also known as "Jr".

24. The VIGNALI's own C & H AUTO REPAIR located at 1360 S. Figueroa Street, Los Angeles, California. The VIGNALI's and TORRES co-own the NIMERO UND SUPERMARKET located at 701 E. Jefferson Boulevard, Los Angeles, California and a swapmeet that is across the street from

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# REPORT OF INVESTIGATION (Continuation) Page 7 of 11 E. PROGRAM CODE 1. FILE NO. 2. G-DEF IDENTIFIER VIGNALI, Carlos et al. 6. DATE PREPARED April 26, 1993

the aforementioned supermarket. TORRES also has a warehouse named GT T located at 700 E. Jefferson Boulevard, Los Angeles, California. TORRES houses several expensive vehicles in that warehouse, i.e., Mercedes, Porsche's, diesel trucks, antique low riders, land cruisers, and jet ski's on trailers said that TORRES has approximately thirty (30) vehicles in the warehouse. The VIGNALI's and TORRES employ twenty to thirty armed guards that patrol the businesses said that they may also own a security firm.

stated that TORRES' warehouse has two levels, and is approximately seventy to eighty thousand square feet. The first level has offices, a casino and the aforementioned vehicles and the second level has a gym that contains three hundred thousand dollars (\$300,000.00) worth of equipment and a two to three bedroom apartment. TORRES maintains several million dollars at the warehouse and VIGHALI, Sr., also has a lot of expensive vehicles at C & H AUTO REPAIR.

believes that TORRES is worth at least two to three hundred million dollars (\$200-300,000.00). heard that TORRES built a seven million dollar (\$7,000,000.00) house in Downey or Pomona, California and the landscaping cost seven hundred and fifty thousand dollars (\$750,000.00). VIGNALI, Sr., purchased house located in Pacific Palisades, California and it is purported to be worth million dollars (\$10,000,000.00). VIGNALI, Jr., purchased condo located at VIGNALI Jr.'s pager number was 213-717-9826.

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REPORT OF INVE			Page 1 of 2
	2. Cross Related Files File	3. File No. R1-97-0872	4. G-DEP Identifier
At: Los Angeles, CA		6. File Title TORRES, George, et. al	•
Closed Requested Action Completed Action Requested By:		8. Date Prepared 09/25/97	
Action Requested by:  Other Officers:			
Wilei Ollicola			
Report Re: CASE INITIATION RE	PORT on the George T	ORRES cocaine orga	inization
Report Re: CASE INTITATION IN			•
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or information of DEA, nvestigators from LA Inforcement Team, concentionally of the second se	erning George TORF	ES' and his assong organization 1980's when it heir drug traff	ociates being n. This organizati was closely icking. By the ear O kilograms of

Since that time TORRES has continued to be involved in drug trafficking and information shows that his organization supply various drug trafficking organizations throughout the United States. TORRES's organization has used illicit profits derived from drug trafficking to buy legitimate businesses and properties throughout Los Angels and southern California. One of these businesses, NUMERO UNO MARKET, INCORPORATED, located at 701 East Jefferson, Los Angeles is at large grocery with 1996 income of \$ 42 million. Other businesses that the organization has a controlling interest include the following; NUMERO UNO, in El Monte, LA ESTERA MARKET, TOVICEP, INC., VCG ENTERPRISES, INC. G \$ R WHOLESALE, and G & R WHOLESALE GROCERS. The properties that this organization has purchase range in value from \$ 31,000 to \$ 4,250,707. Investigators believe that the organization uses these

to \$ 4,230,707.	1Ar A	13. Date
11. Distribution:		09/25/97
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		15. Date
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Drug Enforcement Administration	1. File No.
REPORT OF INVESTIGATION	1. File No. R1-97-0872 3. File Tr
(Continuation)	
Page 2 of 2  5. Program Code	6. Date Prepared 09/25/97
5. Program coos	03/25/2

bush esses to daundry its drug proceeds.

### TARGE

The immediate targets of this investigation will be TORRES and members of his trafficking organization.

#### INDEXING

- 1. TORRES, George- NACDIS: 3291351
- 3. VIGNALI, Carlos Horatio- NADDIS: Pending (See attached DEA 202 for GDEP information)

-6a . 1994)

REPORT OF INVE	STIGAT!CN		Page 1 of 3	
Program Code	2. Cross Related Files	3. File No. R1-98-0689	4. G-DEP Identifier	•
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	1. File No. R1-98-0689	2. G-DEP Identifier
REPORT OF INVESTIGATION (Continuation)	3. File Title TORRES,	George, et. al
Page 2 of 3		-
5. Program Code	6. Datc Prepared 9/16/98	·

George TORRES is the head of this organization. TORRES' direct associates include

Carlos Horatio VIGNALI's role in the organization is relatively unknown at this time. It is believed that VIGNALI functions as a financial partner in the organization. VIGNALI has been involved in organizing meetings between TORRES and individuals with extensive criminal backgrounds.

The TORRES organization has used its profits from drug trafficking to purchase legitimate businesses and properties throughout the Southern California area and a large number of vehicles. The principal business operated by this organization is NUMERO UNO MARKET, INCORPORATED, located at 701 East Jefferson, Los Angeles. Other businesses in which George TORRES has a controlling interest include the following: NUMERO UNO - El nte, LA ESTRELLA MARKET, G & R WHOLESALE, G & R WHOLESALE GROCERS, OVICEP, INC., VCG ENTERPRISES, INC., and ELKHAN. The grocery and wholesale business are cash intensive thus making it easy to launder In 1996, TORRES' businesses had sales of illicit funds through them. approximately \$ 50,000,000. Additionally, this organization has purchased at least thirty-five properties throughout Southern California with assessed values ranging from \$ 31,000 to \$ 4,250,707. These properties include a ranch in Santa Ynez, the target's principal residence in Downey as well as various other residential properties being used by TORRES' Investigators believe that TORRES uses these businesses, associates. properties and vehicles to launder his drug profits.

Members of the TORRES organization have been involved in various acts of violence. In 1996, TORRES was arrested for being a felon in possession of a firearm. The Los Angeles Police Department (LAPD) has named TORRES a suspect in two murders. One involved a disgruntled employee and the other involved the owner of a property adjacent to one of TORRES' businesses. TORRES has been known to intimidate and threaten others and in so doing likes to portray himself as a Mafia member. He often uses his associates to carry out these acts of intimidation.

Form -6a . 1994)

JRH:jrh

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Drug Enforcement Administration

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#### 2. G-DEP Identifier 1. File No. R1-98-0689 REPORT OF INVESTIGATION 3. File Title TORRES, George, et. al (Continuation) 3 3 of Page 6. Date Prepared 5. Program Code 9/16/98

#### INDEXING

TORRES, George - NADDIS #3291351 1.

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.CII#:

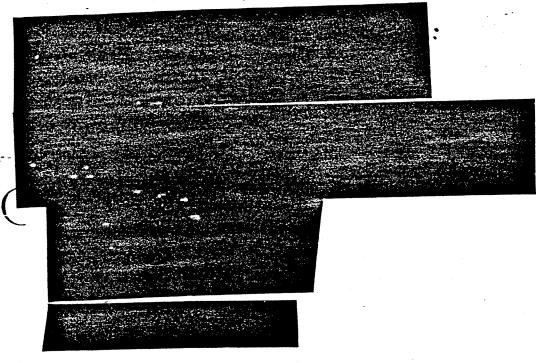
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SSN:

569-72-2172, 569-17-5448

Aliase:

Jaime Ernesto Garcia



VIGNALI, Carlos Horatio - NADDIS #4358266 4.

CDL:

E0525168

Associate of George TORRES (NADDIS #3291351)

-6a , 1994)

JRH:jrh

**DEA SENSITIVE Drug Enforcement Administration** 

1-Prosecutor

	REPORT OF INVESTIGATION				2. G-DEP IDENTIFIER
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1	Page 3	of	5	CARLOS ANIB	AL #IGNALI
5. PROGRAM CO	DE			6. DATE PREPARED November 10,	1992

6. On Wednesday, November 04, 1992;
with (U.S. Customs-Torrance, California office)
regarding C & H Auto Body Shop.

U. S. Customs agents participating in the Operation
Northern Cross-Illinois State Police joint narcotics task force
requested that venify the exsistence of a C & H Auto
Body Shop located at 1360 South Figueroa Street, Los Angeles. S/A
had no other information reference the intricate
involvement of C & H Auto Body Shop to Operation Northern Cross'
investigation.

FBI-Los Angeles) for possible further information.

On Wednesday, November 04, 1992; U.S. Customs-John Wayne Airport; Santa relayed to with Ana, California). that through investigations that a similar source of supply for vehicles possiby being utilized for illicit activities had been continued by relaying that a member established. of the Los Angeles County Sheriff's Department Operation Safe Streets(gang enforcement unit) requested that conduct California, U.S.A. - Tijuana, Mexico border crossing history checks on approximately 4500 vehciles associated with found, through Department of Motor various gangs. Vehicles registration checks, that a great number of the vehicles were/had been registered to "Pic Your Part/Help Yourself" located at 1301 Orangewood Ave.; city of Anaheim, California. On Wednesday, October 28, 19∮2; conducted a California Department of Motor Vehicles records check on Carlos Anibal VIGNALI, d.o.b.: 5-30-71, CDL #A2150090.

vehicles listed as being cited for California Vehicle Code violations driven by VIGNALI at the time the offense occurred; TFO V. Y. Wilson checked the vehicle registration for California license # [2FJP747]; [2FJP747], CA. registered owner is to "Pic Your Part/Help Yourself" located at 301 E. Orangewood Ave.; Anaheim, California 92805.

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DEA SENSITIVE

DRUG ENFORCEMENT ADMINISTRATION

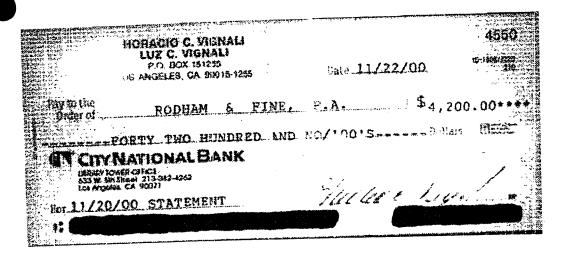
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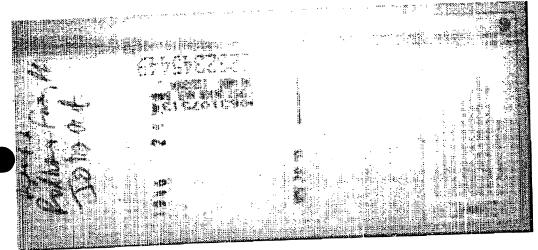
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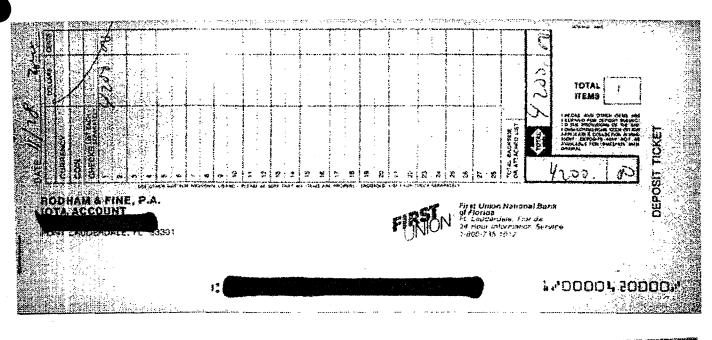
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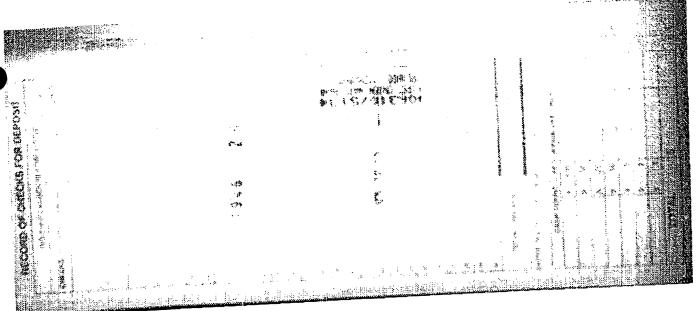
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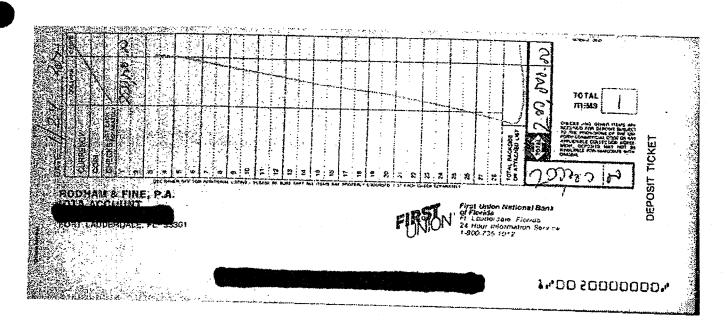
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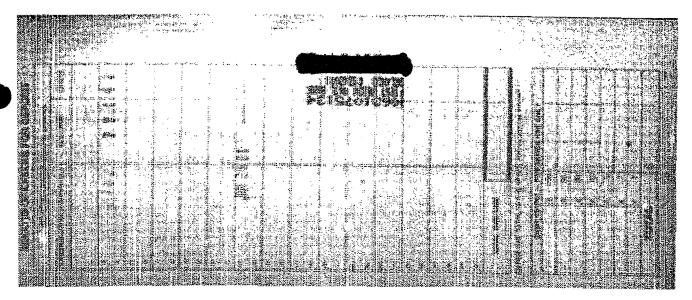
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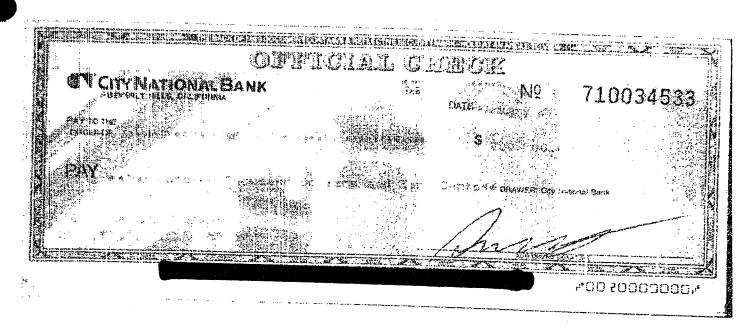


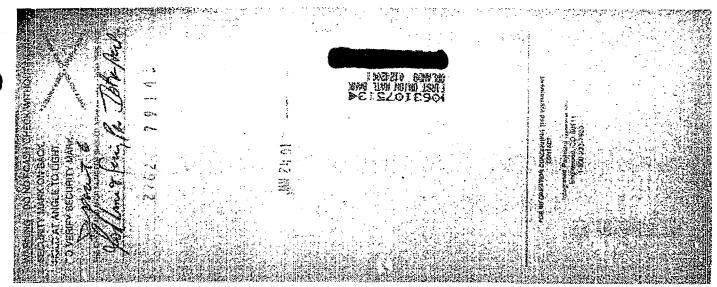


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REQUESTOR DEBRA TAYLOR
. SUBPOENA FILE# 06080121-1

SUBPOENAS AND SUMMONS PA4292 PHILADELPHIA, PA 99 99 9-999







REQUEST 200000.00 ROLL 3397 JOB 00345 P ACCT REQUESTOR DEBRA TAYLOR . SUBPOENA FILE# 06080121-1

SUBPOENAS AND SUMMONS PA4292 PHILADELPHIA, PA 99 99 9-999



## **BUSINESS ACCOUNT AGREEMENT**

Turn CA Analysis Duckeys Of All				
Type of Account: Analyzed Business Checking Business Address: 1416 S FLOWER ST LOS ANG		unt Number:		
Mailing Address: 1410 5 PLOWER ST LOS AND	SELES, CA 90015			
(If different from above)				
Telephone: (B) (213)748	-7595 E-Mail	i / Fax:		
MINIMUM NUMBER OF AUTHORIZE Signature Message Code: NONE	D SIGNATURES RE	QUIRED FOR WIT	HDRAWALS: 1	
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	RESOLUT	ION		
RESOLVED: The President, any Vice President, the brokerage, investment, cash management and depos to time who is authorized to withdraw funds, initiate prokerage accounts. RESOLVED FURTHER: This National Bank and City National Securities, Inc. received.	of service agreements with Ci payment orders and otherwis Buthorization is in addition to	ity National Bank or City National Bank or City National Bank of the sufficient of t	lational Securities, Inc., and to details of this company with respect to	signate from ti to its deposit a
Certification by Secretary: I certify that: (1) I am complete and accurate copy of a Resolution duly accessociation); (3) the Resolution is in full force and has "Authorized Signers" sections of this form are the gen	proper by the Company's Bo now Deen revoked or change with algoratures of the parson	oard of Directors (or by the ed in any way; and (4) the n(s) authorized to take acti	ne Company's members if it is a selecture(s) in the "Agreement boon by the Resolution.	n unincompore by Cuatomer* 4
Signature of Secretary or Assistant Secretary	1 11	male.		<u>'/</u>
AGREEMENT BY CUSTOMER	/ LOVE C. VIGNALI	•	Date	•
By signing below, Customer confirms that it has reconditions, and the schedule of fees it received whe authorized to withdraw funds, initiate and confirm payre Customer with respect to its deposit accounts. Customer same signature requirements as set forth on this Agree products selected and/or used by Customer.  The Internal Revenue Service does not require yearckup withholding.	ment orders pursuant to the error spreas that any Authoriza ament. Customer agrees to be our consent to any province.	security procedure select d Signer may establish ac be bound by the terms an sion of this document	<ul> <li>iiii as Authorized Signer(s)</li> <li>and otherwise give instruction</li> <li>iditional accounts in the same nar</li> <li>conditions and fees and charge</li> </ul>	)-on this forations on behalf ⊂ me(s) and wit se as they rela
ne/Title_ HORACIO C. VIGNALI, PRES	*	gnature:	EVUI	BIT
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Occupation: GENERAL MANAGER

Employer Name / Address; MORVIS CORVIS CORP. 1416 S. FLOWER ST. LOS ANGELES, CA 90015

ACC	OUNT TITLE	MORVIS CORVIS CORPORATION, DBA TACO GRI	Ц,		
•	•	,	• !	 ACCOUNT NUMBER	020240172

### BANK USE ONLY

Today's Date / Time 02/28/2001 12:39PM	Opened By Cecilia Diego	Opening Deposit \$5,000.00 CNE Transfer
Supercedes Card Dated 02/01/2001	Superceded By CECILIA DIEGO	Cash Amount \$ -0-
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Original Opening Date 02/01/2001	Reviewed by	. ChexSystem Report Flied?
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#### ADDITIONAL ACCOUNTS

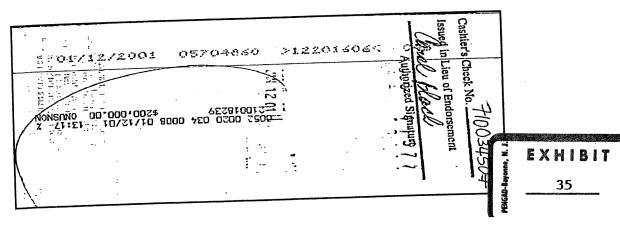
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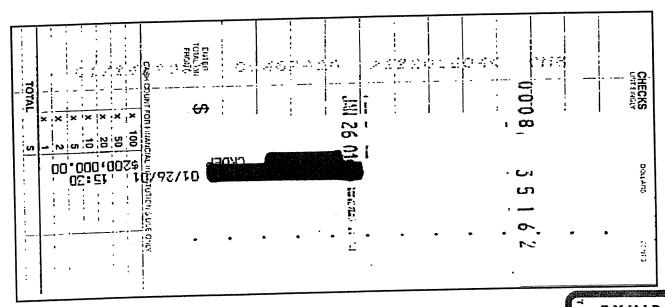


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EXHIBIT

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Mel Reynolds	lds	Bank fraud; wire fraud;	Offenses relate primarily to fraudulent loan	Significant Congressional interest: may be nossible to	Could use clemency nower to x fer to
		financial institution;	applications he and his	transfer	halfway house
		conspiracy to defraud	wife filed during 1st term in		
		U.S.; false statements to	Congress b/c of financial	Sen. Durbin has spoken to	
		FEC (1997) (sentenced	difficulties. Used cash	POTUS; Reps. Danny	
		to 78 months in prison, 5	from union (Hotel and	Davis, Carrie Meek,	
		years supervised release,	Restaurant Employees) that	Charles Rangel, Maxine	
		\$20K restitution)	was intended for GOTV	Waters, James Clyburn,	
			for down payment on	William Jefferson, former	
		projected for release in	house. In violation of FEC	Rep. Ron Dellums,	
		March 2003	rules, spent money	Chicago Alderman Edward	
		(convicted while serving	designated for state/local	M. Burke, Jesse Jackson,	
		5-year state sentence for	elections on fed	Kweisi Mfume have	
		child pornography,	campaigns.	written in support of	
		criminal sexual assault,		transfer	
		and obstruction of justice	Seeks commutation that		-
		- offenses relate to sexual	would transfer him to a	US Atty opposes.	
		relationship with 16-year-	halfway house so he can	Sentencing judge strongly	
		old campaign worker.	earn money to send to	opposes. DAG	
		State sentence expired in	family, who have at times	recommends denial of	
		January 2000)	been on public assistance	commutation (but does not	
			during his incarceration.	object to transfer).	
				Victim institutions do not	
Carlos Vignali	mali	Aiding and abetting	Arg is he is not guilty	Reps. Becerra, Torres ask	
		distribution of cocaine;	loaned \$25K to a friend,	for "every consideration"	-
PENGAD-Bayonne.N.J		conspiring to	which he args was falsely	because parents are friends;	
		manufacture, possess and	interpreted to be part of	Council of CA State	
E)		distribute cocaine	drug conspiracy; aged 24 at	Legislators also ask for	
(HIBI		(1995) Sentenced to 175 months	time of offense, with no	consideration; Archbishop	
T			prior criminal record, ange	or the supported, acc. to	
5-A					

Draft 2/28/01

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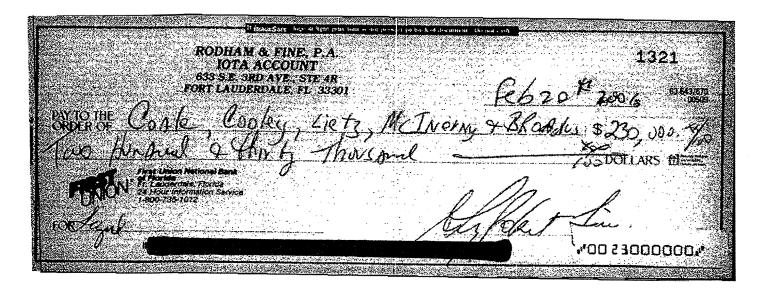
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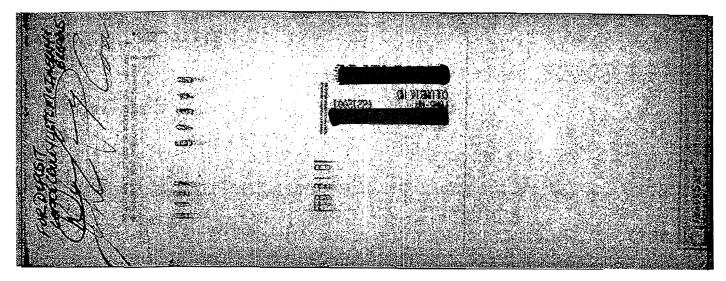
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Lean no																			
Reps. Becerra, Torres	ask for "every	consideration" because	parents are friends;	Council of CA State	Legislators also ask for	consideration;	Archbishop of LA	supports; acc. To	representatives, U.S.	Atty in Minneapolis	(who prosecuted him)	supports; LA Sheriff	Lee Baca and LA US	Atty Alejandro	Mayorkas support;	Maria E. has inquired			
Arg is he is not guilty -loaned	\$25K to a friend, which he	args was falsely interpreted to	be part of drug conspiracy;	aged 24 at time of offense,	with no significant criminal	record; args he had minor role;	DOJ states that petitioner	was supplier for major	cocaine distribution	organization and has two	1989 convictions for fighting	in public place and	vandalism; 1990 arrest for	corporal injury to spouse or	cohabitant, dismissed.		DOJ says U.S. Attorney	strongly opposes.	DOJ recommends denial.
Conspiracy to distribute	cocaine; using facilities	in interstate commerce	to promote a business	enterprise involving	narcotics; use of	communication facility	in controlled substance	offense.	(1995)	Sentenced to 175 months	and 5 years' supervised	release (to be released	August 2007)						
Carlos Vignali																			

CLINTON LIBRARY PHOTOCOPY

Ctourn Trologue	0.0000000000000000000000000000000000000	11.		
Divide Holicavon	manufacture marijuana	so 10-year mandatory	r Alviivi iist	No other information
	manufacturing marijuana	minimum was doubled; (grew		Need more
	(1992)	3698 plants); args he grew for		
	Sentenced to 20 years	brother who was suffering		
		from AIDS		
Carlos Vignali	Aiding and abetting	Arg is he is not guiltyloaned	Reps. Becerra, Torres	
	distribution of cocaine;	\$25K to a friend, which he	ask for "every	
	conspiring to	args was falsely interpreted to	consideration" because	STAFF: mixed (?)
	manufacture, possess and	be part of drug conspiracy;	parents are friends;	
	distribute cocaine	aged 24 at time of offense,	Council of CA State	
	(1995)	with no prior criminal record;	Legislators also ask for	
	Sentenced to 175 months	args he had minor role	consideration;	
	and 5 years' supervised		Archbishop of LA	
	release (to be released		supports; acc. to	
	August 2007)		representatives, U.S.	
			Atty in Minneapolis	-
		-	(who prosecuted him)	
			supports; LA Sheriff	
			Lee Baca and LA US	
			Atty Alejandro	
			Mayorkas support;	
			Maria E. has inquired	
Kim Allen Willis	Aiding and abetting in the	First-time, nonviolent	Local NAACP chapter	
	attempt to possess with	offender; sentencing judge	supports; FAMM list	
	intent to distribute 20	recommends commutation		
	kilos of cocaine;	(same judge who wrote on		
	conspiracy to possess with	behalf of Serena Nunn,		
PENGAD-Bayonne, N. J	intent to distribute 5 kilos	petitioner's co-defendant who		
-	of cocaine	received commutation in July		-
	(1990)	2000) b/c Willis also had		
XHI	Sentenced to 188 months	minor role in drug ring; Circuit		
817	(mandatory minimum)	Judge Heaney, who heard		

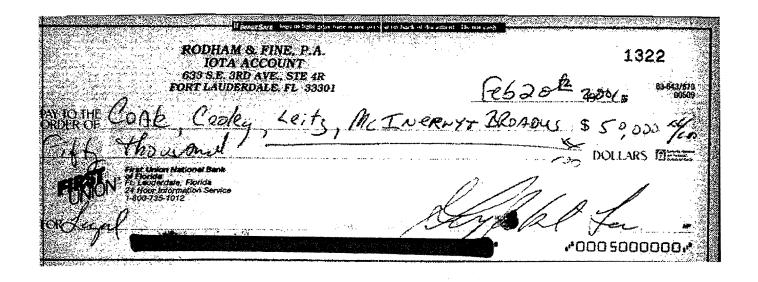


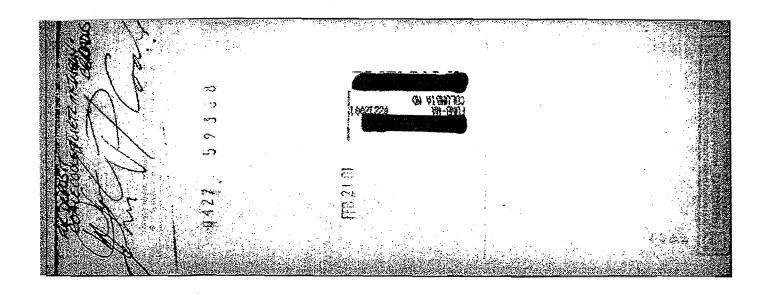


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SUBPOENAS AND SUMMONS PA4292 PHILADELPHIA, PA 99 99 9-999







REQUEST 50000.00

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REQUESTOR DEBRA TAYLOR

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DATE_February_21	
dollars and no00/100	DOLLARS Figures
FINE Union National Bank SUB  # RODBAM & FINE	Date orbit
FOR Repayment of retainer to Rodham & Fine	

EXHIBIT

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-   /s// W	335 68-122/540 BRANCH 00480	\$**50,000.00**	DOLLARS Bearing	
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EXHIBIT

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# ReedSmithup

February 21, 2001

Carlos Vignali Morris Corvis Corporation Post Office Box 151255 Los Angeles, CA 90015

Dear Mr. Vignali:

Enclosed please find partial repayment of your retainer to Rodham and Fine. A check for the balance will be forwarded directly.

If you have any questions, please do not hesitate to call me.

Sincerely,

Nancy Luque

Enclosure

1301 K Street N.W.

Suite 1100 - East Tow
Washington, D.C. 20005-33
202.414.929
Fax 202.414.929

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First Union National Bank SUB McLean, Virginia NT 054001220
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""   Lartial repayment of retainer to client



JOHN F. HARKNESS, JR. EXECUTIVE DIRECTOR

954/772-2245

July 16, 2001

FT. LAUDERDALE, FL 33309

J. Christian Adams, Esq. 4160 Chain Bridge Road Fairfax, Virginia 22030

Re:

Florida Bar Investigation of Hugh E. Rodham

TFB Case No. 2001-71,048(17H)

Dear Mr. Adams:

You, along with several others, filed a complaint with The Florida Bar in response to the media reports of Hugh Rodham's role in two pardons granted by former President Clinton. This matter was reviewed by Florida Bar staff counsel and then referred to a Florida Bar grievance committee for further consideration.

Florida Bar grievance committees consist of volunteer members, one third of whom must be members of the public. The lawyers who serve on grievance committees must have been licensed for five years. Grievance committees consider evidence and make recommendations as to the appropriate resolution of a case. After considering the available evidence and potential rule violations in this case, the grievance committee, including members of the public, unanimously voted to close the case without further proceedings. Therefore, The Florida Bar will not continue with its investigation at this time. The reasons are set forth below.

#### I.-Procedural History of this Investigation.

Rule 3-7.3(c), Rules Regulating The Florida Bar, provides that The Florida Bar may initiate investigations in its name, even if no complaint has been filed. The media reported Mr. Rodham's involvement with these matters, and his fees, late in the day on February 21, 2001. On February 22, 2001, The Florida Bar opened a file to begin gathering information. In the days and weeks that followed, The Florida Bar received several complaints about Mr. Rodham's reported conduct. Because of the number of complaints, the fact that the complaints all contained similar allegations, and because none of the complainants had firsthand knowledge of the underlying facts, a determination was made to continue this investigation in the name of The Florida Bar. No additional files were opened, but instead, all complaints were merged into a single master file for investigation. To the best of our knowledge, all persons who filed a complaint were advised that we would be pursuing the investigation in the name of The Florida Bar.

EXHIBIT

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Investigation of Hugh E. Rodham, TFB Case No. 2001-71,048(17H)

Page 2

RE:

When The Florida Bar receives a complaint against an attorney, the staff counsel to whom the case is assigned conducts a preliminary review to determine if sufficient allegations have been made to proceed with that complaint. If the allegations against an attorney, taken as true, would constitute a violation of our rules, we then open a disciplinary file and conduct an investigation.

In the present case the media reports contained significant undisputed information. What appeared to be undisputed is that Hugh Rodham took \$200,000.00 each for two matters in which an individual previously convicted of criminal charges received a pardon from then-president Clinton. It also appeared undisputed that the fees were received after the pardons were granted, and therefore that Mr. Rodham handled these matters on a contingency basis.

The circumstances surrounding Mr. Rodham's involvement were curious at best. It was suggested that Mr. Rodham performed very cursory services for these individuals, if any. This raised questions about whether the monies were paid simply for services rendered (and thus were excessive fees) or for some other purpose (as a payoff to someone involved in the process). It was also suggested that Mr. Rodham did not follow the proper procedures for submitting a pardon request.

Although we had not been provided evidence of any improprieties of this type, the nature of the questions raised were such that it was appropriate to pursue an investigation. We opened a disciplinary file and requested a response from Mr. Rodham. He responded through his attorney. We conducted research into the legal issues involved. We attempted to gather additional facts. Then we referred the case to a Florida Bar grievance committee for further consideration.

As stated above, Florida Bar grievance committees consist of one-third nonlawyers. Attorneys must have been licensed for five years before they are eligible to serve on a grievance committee. The grievance committee which considered this case unanimously decided to close the investigation, based on information available to date, and the grounds set forth below. If additional information comes to light that indicates Mr. Rodham violated our rules with regard to these pardons, we may reopen the file for additional investigation.

### II.-Discussion of Issues Considered.

This situation raised two primary ethical concerns. The first concern was whether the fees were improper (whether the fees were excessive, and whether the prohibition against an attorney entering into a contingency fee agreement in a criminal matter would apply to a clemency matter). The second concern was whether Mr. Rodham engaged in dishonest conduct (whether the fees were bribes, whether Mr. Rodham violated rules or procedures relating to pardons, etc.).

RE:

Page 3

#### A. Whether Mr. Rodham's Fees Were Improper.

The Florida Constitution provides that the Supreme Court of Florida shall have responsibility for regulating the practice of law. The Florida Bar, acting as an official arm of the court, carries out this responsibility. Attorney conduct is addressed by the Rules Regulating The Florida Bar. The practice of law generally is understood as assisting another in judicial proceedings, or providing legal assistance in matters affecting important rights of another. One must be licensed as an attorney in Florida to practice law in Florida, as the term "practice law" is generally understood. By way of contrast, persons not licensed to practice law are sometimes expressly permitted by administrative codes and rules to render assistance in non-judicial proceeding. It is the prerogative of the executive and legislative branches of government to establish provisions whereby those who are not licensed as attorneys may provide representation or other assistance, which, if carried out in a judicial proceeding, might be the improper practice of law.

The clemency process is not a judicial proceeding, either at the state or federal level. Persons charged with criminal activity are tried (if they contest the charges) and sentenced (if convicted) by a lower court. Once convicted, persons who choose to appeal do so to a higher court or court of appeal. In Florida, as in most states, and as in the federal system, a supreme court exists with authority over all of the courts of appeal. Clemency does not involve assistance before any court. Rather, it is a plea to the chief executive --- another branch of government --- to grant a pardon or alter the sentence imposed. It is not an action founded in errors of law, but rather an appeal to the mercy of the chief executive.

It is important to remember that the primarily goal of The Florida Bar's lawyer regulation department is to protect the public. In this case the persons who paid the fees did not complain. Virtually all of the complaints of excessive attorneys' fees filed with The Florida Bar come from interested parties. Most are clients. Some hired an attorney, and then the attorney charged for time not spent or for unnecessary work. Others hired an attorney, paid a fee, and the attorney failed to perform suitable services, yet would not refund the fee. In other instances, the opposing party complains when they have lost a case, and the prevailing party's attorney seeks what they believe to be unreasonable fees. It would be highly unusual for The Florida Bar to become involved in a determination of reasonableness of attorneys' fees in the absence of a complaint of an interested party, one who actually suffered harm directly. We may consider doing so when a compelling public interest arises. The grievance committee that considered this case did not find a compelling public interest in the matters involved.

Contingency fees are prohibited in criminal cases. The primary reason is that contingency fees generally are allowed only when there is a recovery from which to take a fee. The typical contingency fee case involves the recovery of damages, where the successful plaintiff receives a judgment or settlement in a specified amount. The fee agreement for such a case would provide for fees based on the recovery. The goal of both attorney and client are served by the attorney

Investigation of Hugh E. Rodham, TFB Case No. 2001-71,048(17H)

RE:

Page 4

seeking a maximum recovery. As an additional policy consideration in criminal cases, contingency fees are prohibited because the constitutional right to competent counsel should not be tied to the compensation paid to the attorney.

As discussed above, however, clemency is different from other post-conviction avenues of appeal. It cannot be said that, based on existing rules and ethics opinions, accepting a contingency fee for assistance in a clemency proceeding is improper per se.

#### B. Whether Mr. Rodham Engaged in Dishonest Conduct.

A Florida-licensed attorney who engages in conduct prejudicial to the administration of justice in connection with the practice of law is subject to discipline under our rules. A Florida-licensed attorney who engages in criminal misconduct, deceit, or other dishonest conduct is subject to discipline, regardless of whether the conduct is deemed to be in connection with the practice of law. There has been no evidence presented or made available to The Florida Bar: 1) that Mr. Rodham violated rules or procedures relating to the pardons in question; 2) that monies were intended as improper payment to persons involved in the pardon process; or 3) that there was any other deceit or dishonesty on his part. The media has reported that the Department of Justice, through the United States Attorney's Office for the Southern District of New York, is investigating many, if not all, of the Clinton pardons. The Department of Justice is the appropriate agency to undertake the investigation of whether Mr. Rodham followed the pardon process properly or engaged in any improper conduct with regard to the pardon process.

Although The Florida Bar has an excellent cooperative relationship with all types of law enforcement agencies, confidentiality laws do not allow the Department of Justice to disclose anything about an investigation, even to the point of confirming if an investigation is ongoing. We attempted to obtain information from the Department of Justice in Washington, D.C., as well as the United States Attorney's Office for the Southern District of New York. Our requests were declined. We will request the Department of Justice to release any information relating to Mr. Rodham to us, if there is any such information, and when it becomes public. The Florida Bar has a six-year statute of limitations in which to pursue complaints against attorneys. If Mr. Rodham ultimately is found to have violated any laws with regard to these pardons, The Florida Bar will open a new file and seek discipline based on those findings.

#### III. - Conclusion.

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The Florida Bar is not continuing with its investigation of Hugh Rodham at this time.

The Florida Bar does not endorse either the amount of the fees involved in these matters or the use of contingency fee agreements for clemency matters. Based on existing rules and ethics opinions, however, and for the reasons set forth above, it cannot be said that Mr. Rodham's fees were improper.

RE:

Investigation of Hugh E. Rodham, TFB Case No. 2001-71,048(17H)

Page 5

If you have questions regarding this matter, please submit them in writing, so that we may provide a complete and thorough response. Thank for you efforts in bringing your concerns to the attention of The Florida Bar.

Sincerely,

Barry W. Rigby

Chief Branch Disciplinary Counsel

BWR/ak

.... ....

## J. CHRISTIAN ADAMS

#### ATTORNEY AT LAW

4160 Chain Bridge Road Fairfax, Virginia 22030 Practicing in VA and SC phone 703.535.1580 fax 703.591.5863 jcadams@erols.com

VIA FIRST CLASS MAIL February 22, 2001

Mr. Barry W. Rigby, Esquire The Florida Bar Department of Lawyer Regulation Cypress Financial Center 5900 N. Andrews Avenue Suite 835 Ft. Lauderdale, Florida 33309

RE: Formal Ethics Complaint; Mr. Hugh Rodham, Esquire.

Dear Mr. Rigby:

I am hereby submitting a formal ethics complaint against Mr. Hugh Rodham, Esquire. Mr. Rodham is an attorney licensed to practice law in the State of Florida. He has offices at Rodham & Fine, P.A., 633 Southeast Third Avenue Suite 4R, Fort Lauderdale, Florida 33301. I believe there is evidence to demonstrate that Mr. Rodham violated two separate provisions of the Rules Regulating The Florida Bar. I believe Mr. Rodham has violated Rule 4-1.5(a)(1) and Rule 4-1.5(f)(3)(B).

Rule 4-1.5(a)(1) states "[a]n attorney shall not enter into an agreement for, charge, or collect an illegal, prohibited or clearly excessive fee . . . "

Rule 4-1.5(f)(3)(B) states a "lawyer shall not enter into an agreement for, charge, or collect: (B) a contingent fee for representing a defendant in a criminal case."

Enclosed you will please find three news accounts from *The Los Angeles Times*, *The New York Times* and Fox News Channel's world wide web news site. All of the articles involve Mr. Rodham's acceptance of \$400,000 in legal fees for his representation obtaining clemency for Messrs. Carlos Vignali and Almon Glenn Braswell. You will note that the *New York Times* reports that the money was wired to the "account of Mr. Rodham's Florida law firm on January 22" so it appears he was serving in his capacity as a member of the Bar.

Fox News reports in the enclosed article (www.foxnews.com/politics/022201/Clinton\_relative.sml) that Mr. Rodham "received hefty contingency payments for securing a pardon for Almon Glenn Braswell, a businessman convicted of fraud..." The same news account characterizes the payment as "a 'success fee' for helping win Braswell's pardon." The Los Angeles Times account (http://www.latimes.com/news/front/20010222/t000015792.html) also characterizes the legal fees as "a success

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Mr. Barry W. Rigby, Esquire Page 2 of 2 February 22, 2001

fee." And finally, the ex-President issued a formal statement which was reported in *The New York Times* (http://www.nytimes.com:80/2001/02/22/politics/22PARD.html) that Mr. Rodham "received a contingency fee in connection with a pardon application..." It would appear that Mr. Rodam's actions are subject to disciplinary sanctions.

In Ethics Opinion 80-5, the Florida Bar Committee unanimously ruled that acceptance of a contingency fee was prohibited in obtaining post conviction relief. Moreover, in this same Ethics Opinion, the Committee discussed Ethical Consideration 2-20, noting that "[p]ublic policy properly condemns contingent fee arrangements in criminal cases, largely on the ground that legal services in criminal cases do not produce a res with which to pay the fee." In Mr. Rodham's case, Mr. Rodham was representing a client in a situation not unlike post conviction relief. Lastly, there was similarly no res and thus the underlying justification for prohibiting a contingent fee was present in his case.

Finally, it would appear that Mr. Rodham "collect[ed]... a clearly excessive fee." Citing, Rule 4-1.5(a)(1). Note that The Los Angles Times, states that Mr. Rodham collected "\$200,000 for making at least two phone calls to the White House and for other work on Vignali's behalf." While it would appear that Mr. Rodham may have brought unique characteristics and background to his role as pardon attorney, it is hard to imagine a circumstance where Rule 4-1.5(a)(1) is more clearly violated. Obviously, this is a fact sensitive issue and would seemingly depend on a thorough review of Mr. Rodham's work product, file and billing records. It may be that Mr. Rodham's personal access to the ex-President may be the only attribute that could cause this otherwise preposterous \$400,000 fee to be ethical. See generally, Rule 4-1.5(b) (discussing safe havens where standards are applied to justify fees).

Finally, let me note my motivation for filing this complaint. I am a solo practitioner tired of hearing jokes, criticisms and complaints about the practice of law. Most of all, I take my ethical obligations seriously. My license and my reputation are all I have to support myself. In fact, I probably have much more to lose than to gain by filing this complaint. I have seen others who have filed similar complaints be attacked and criticized. But I simply feel that when the unethical conduct of those admitted to the bar dominate national headlines, month after month, year after year, our system is harmed. When the same unethical conduct goes unpunished, month after month, year after year, the system itself is jeopardized.

I look forward to hearing about the progress of my complaint. Call me if you have any questions. Under penalty of perjury, I declare the foregoing facts are true, correct and complete.

Sincerely

J. Christian Adams

Enclosures

#### Bang, you're dead

"Let us, for a moment, take the sex-education pushers at their word: If you teach a child how to use a condom, you're promoting safety - not usage. Why, then, doesn't the same logic apply to guns?"

Syndicated columnist Michelle Malkin

#### Rabid reporters

The U.S. Postal Service says it's been bitten by the press.

"When it rains, it pours," says the USPS, denying it's up to its knees in "waste, fraud and abuse" to the tune of \$1.4 billion — as was widely reported recently by the media.

So where, then, did the widely circulated figure come from?

The USPS guesses that a careless reporter or two misunderstood a statement by the USPS Office of Inspector General, which identified potential savings and cost avoidances of - you guessed it — \$1.4 billion.

### Biting the hand

How are you planning to spend your tax-rebate check? How about spending it to "fight back" against the guy who made it happen?

That's what one Marxist group is asking its supporters to do.

"President Bush is bribing us with his new \$300-plus tax return," declares the International Action Center (IAC), a Marxist protest organization associated with the Workers World Party. "However, this will not fool uslet's use this money instead to fight

The IAC is "asking our friends to donate their tax return and use that money to bring an end to the Bush program" by joining the "Committee of 200," which will fund the September protests here in Washington against the International Monetary Fund and the World Bank.

The IAC wants its supporters to send contributions to pay for a "week of teach-ins, direct action, and rallies," to say nothing of massive traffic tie-ups for Washington commuters.

In case you were wondering the (WI 180.21 10-00-100



NBC's Matt Lauer received even more second-guessing after his response to a critic.

IAC makes clear that these contributions are — what else — "completely tax-deductible."

#### No place like home

Subscribers overwhelmed our mailbox after reading NBC "Today" show host Matt Lauer's response to a Washington marketing and public relations executive who had questioned the host's "aggressive tactics" and "rude behavior" toward first lady Laura Bush during an interview last Monday.

"You wouldn't know my 'personal political beliefs' if they landed on your head," Mr. Lauer fired back at his critic. "How dare you pretend to know my political background. Must be nice to sit at home and second-guess what others do for a living?

Wonders Thom Nykamp of Twinsburg, Ohio: "Where would you suggest, other than sitting at home, that we watch you 'not' secand missasimmeration at

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#### Case not closed

More now on the Florida Bar's five-page decision that Hugh Rodham, brother of Hillary Rodham Clinton, did not violate ethics rules by lobbying (for a whopping fee of \$400,000) President Clinton for clemency for two of his clients convicted of felonies.

The bar's ruling was submitted to Fairfax attorney J. Christian Adams, who along with several others had filed the complaint. after it was discovered that Mr. Rodham lobbied his brother-in-law on behalf of the two felons - one a cocaine dealer, the other a money launderer.

Astounded by the recent ruling, Mr. Adams late last week reminded the Florida Bar that the basis of his original complaint "was that a lawyer may not take a contingency fee in a criminal matter."

However, the bar tried explaining in its ruling that because of confidentiality laws, it had "not ... been provided evidence" by the U.S. Justice Department and U.S. Attorney's Office on whether any wrongdoing had occurred.

Therefore, the bar concluded, it had no choice but to decide that no ethics rules were violated.

"Did the Florida Bar not conduct its own fact-finding in this matter?" Mr. Adams is now asking the bar. "If not, the following might be a good place to start your own fact inquiry:

• "Were the fees, which you concede were contingency fees, paid to Mr. Rodham's firm?

 "Were the files on the clemency cases reviewed?

• "Were the files reviewed kept at Mr. Rodham's law firm and kept in the regular course of business of that firm?"

 "Did the files include letterhead or other pleadings or submissions noting they were produced by Mr. Rodham's firm?

 "Were the contingency fees deposited into the firm's account? "Please keep me apprised."

 John McCaslin, a nationally syndicated columnist, can be reached at 202/636-3284 or e-mail

By Jerry Seper THE WASHINGTON TIMES

Little oppositio: today when the Se Committee begins hearings for veteran ment prosecutor Rol III to head the emba

Mr. Mueller, a fe Corps officer who s nam and won the B: the Purple Heart, al praise from commit and Republicans as t believe can bring ac the federal agency.

President Bush, w Mr. Mueller earlier ti ing a Rose Garde already has given hin orders: "The FBI has tion Mr. Mueller mu and some important must confront."

Mr. Bush said he the no-nonsense fc deputy attorney gen attorney in San Franc for the job.

"As a lawyer, prosec ernment official, he ha ideals, a clear sense of a tested devotion to Mr. Bush said. "Bob M rience and character he's ready to shoulder sibilities."

While his nominat jeopardy, the committ ly question him on ho to run the FBI, already a series of public emb including the arrest of eran FBI Agent Rober as a Russian spy and t turn over 4,000 pages c to prosecutors and de

NEW YORK (AP) icans believe children spoiled than they used two-thirds of parents believe they spoil their drem, according to a pi yesterday.

The poll, conducted magazine and CNN, for percent of 1,015 adult believed children today

sent by: Adams Law Firm;